



**IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION Frank B. Gelder
OF:
CASE: VIR-021011CO01
SERIAL NO.: 10/695,112
FILED ON: October 28, 2003
FOR: COMPOSITIONS AND
 METHODS FOR TREATING
 VIRAL INFECTIONS

**STATEMENT
VERIFYING IDENTITY
OF SEQUENCE LISTING
SUBMISSION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

ATTENTION OF:
 A.U. 1648
EXAMINER:
 Parkin, Jeffrey S.

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.


The following statement is being submitted in accordance with 37 C.F.R. §1.821 (f).

I hereby state that the sequence listing information recorded in computer readable form (CRF), which is in accordance with 37 C.F.R. §1.824, is identical to the written sequence listing submitted concurrently herewith.

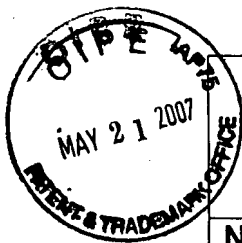
Respectfully Submitted,

FACTOR & LAKE, LTD.

Dated: May 17, 2007


Nick S. Lee, Reg. No. 54260
One of Applicant's Attorneys

FACTOR & LAKE, LTD. 1327 W. Washington Blvd. Suite 5G/H Chicago, Illinois 60607 Tel: (312) 226-1818 Fax: (312) 226-1919	Jody L. Factor Micheal D. Lake Edward L. Bishop Joseph M. Kinsella Jr. Nick S. Lee	34157 33727 39110 45743 54260
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Notice to Comply

Application No.

10/695,112

Applicant(s)

Gelder, F. B.

Examiner

Jeffrey S. Parkin

Art Unit

1648

10/28/2003

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: see the first paragraph of the communication.

Applicant Must Provide:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

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